

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LEONARD JAMES HESS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-1636
)	Chief Judge Ambrose
BEAVER COUNTY JAIL, et al.,)	Magistrate Judge Caiazza
)	
)	
Defendants.)	

MEMORANDUM ORDER

The Plaintiff's complaint was received by the Clerk of Court on November 29, 2006, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on November 2, 2006, recommended that Defendants' Motions to Dismiss (Docs. 13 and 16) be granted.

The parties were allowed ten days from the date of service to file objections. Service was made on the Plaintiff by First Class United States Mail delivered to the State Correctional Institution at Coal, Coal, Pennsylvania, where he is incarcerated and on the Defendants. No objections have been filed. After review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 30th day of Nov., 2006

IT IS HEREBY ORDERED that Defendants' Motions to Dismiss
(Docs. 13 and 16) are GRANTED.

The Report and Recommendation of Magistrate Judge Caiazza,
(Doc. 20), dated November 2, 2006, is adopted as the opinion of
the court.

This case is Closed.

Donetta W. Ambrose

Donetta W. Ambrose
Chief U.S. District Court Judge

cc:
Francis X. Caiazza
U.S. Magistrate Judge
cc:
LEONARD JAMES HESS, EN-9462
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